

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Michael Patrick Murphy et al.Application No./Patent No.: 10/568,654 Int'l Filing Date: August 23, 2004Entitled: MITOQUINONE DERIVATIVES USED AS MITOCHONDRIALLY TARGETED ANTIOXIDANTS

Antipodean Pharmaceuticals, Inc. a corporation
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership,
 university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.
 The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above.
 The assignment was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

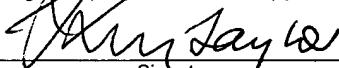
1. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

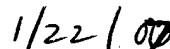
As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature



Date

Kenneth Martin Taylor

Typed or printed name

Chief Executive Officer

Title

COPY

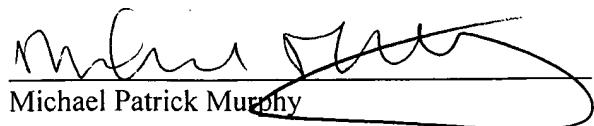
ASSIGNMENT

WHEREAS, we, Michael Patrick Murphy and Robin A.J. Smith (hereinafter referred to as ASSIGNORS), having mailing addresses of 74 Blinco Grove, Cambridge, CBI 7TS, United Kingdom and 20 Lynn Street, Dunedin, 9001, New Zealand, respectively, are the joint inventors of an invention entitled "MITOQUINONE DERIVATIVES USED AS MITOCHONDRIALLY TARGETED ANTIOXIDANTS," as described and claimed in the specification for which an application for United States letters patent was filed and assigned Application No. 10/568,654. This application is a national stage application filed under 35 U.S.C. 371 of International Application No. PCT/NZ2004/000197, accorded an International Filing Date of August 23, 2004;

WHEREAS, Antipodean Pharmaceuticals, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware, having a usual place of business at 1700 Montgomery Street, Suite 209, San Francisco, California 94111, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNEE hereby sell, assign and transfer unto said ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and, in any and all divisions, reissues and continuations thereof, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNEE had this assignment, transfer and sale not been made. ASSIGNEE hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNEE agree to execute all instruments and documents required for the making and prosecution of applications for United States letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

4th Jan 2007
Date


Michael Patrick Murphy

I certify that I know or have satisfactory evidence that Michael Patrick Murphy signed this instrument of his/her own free will, as a voluntary act for the uses and purposes mentioned in the instrument.

Date 4/1/07
(Type or Print)
TRACY PRIME
(Type or Print Name of Witness)

Signed at Cambri Udg

(Signature of Witness)

Date

Robin A.J. Smith

I certify that I know or have satisfactory evidence that Robin A.J. Smith signed this instrument of his/her own free will, as a voluntary act for the uses and purposes mentioned in the instrument.

Date _____
(Type or Print)

(Type or Print Name of Witness)

Signed at _____

(Signature of Witness)

Date _____

Michael Patrick Murphy

I certify that I know or have satisfactory evidence that Michael Patrick Murphy signed this instrument of his/her own free will, as a voluntary act for the uses and purposes mentioned in the instrument.

Date _____
(Type or Print)

Signed at _____

(Type or Print Name of Witness)

(Signature of Witness)

Date

27 Jan 2007

Robin A.J. Smith

I certify that I know or have satisfactory evidence that Robin A.J. Smith signed this instrument of his/her own free will, as a voluntary act for the uses and purposes mentioned in the instrument.

Date 22 Jan 2007
(Type or Print)

Pauline Bandeer
(Type or Print Name of Witness)

Signed at Otago University, Dunedin NZ

P. Bandeer
(Signature of Witness)

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